

ORIGINAL

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UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
vs.  
  
IKAIKA ERIK KANG,  
  
Defendant.

) CR. NO. **CR 17-00446 SOM**  
)  
) INDICTMENT  
)  
) 18 U.S.C. § 2339B(a)(1)  
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FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

3 JUL 21 2017  
at 3 o'clock and 10 P. M.  
SUE BEITIA, CLERK

## INTRODUCTION

1. On or about October 15, 2004, the United States Secretary of State designated al- Qaeda in Iraq (AQI), then known as Jam 'at al Tawid wa' al-Jahid, as a Foreign Terrorist Organization (FTO) under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist entity under section 1(b) of Executive order 13224.

2. On or about May 15, 2014, the Secretary of State amended the designation of AQI as an FTO under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist entity under section 1(b) of Executive Order 13224 to add the alias Islamic State of Iraq and the Levant (ISIL) as its primary name. The Secretary of State also added the following aliases to the FTO listing: The Islamic State of Iraq and al-Sham ("ISIS" - which is how the FTO will be referenced herein), The Islamic State of Iraq and Syria, ad-Dawla al-Islamiyya fi al-Iraq wa-sh-Sham, Daesh, Dawla al Islamiya, and Al-Furquan Establishment for Media Production. On September 21, 2015, the Secretary added the following aliases to the FTO listing: Islamic State, ISIL, and ISIS. To date, ISIS remains a designated FTO.

COUNT 1

(Attempt To Provide Material Support or  
Resources to Designated Foreign Terrorist Organization)

The Grand Jury charges:

Paragraphs 1 and 2 of the Introduction Section of this  
Indictment are incorporated herein by reference.

That on or about June 21, 2017, in the District of Hawaii,  
IKAIKA ERIK KANG, the Defendant, did knowingly attempt to  
provide "material support or resources," as that term is defined  
in Title 18 United States Code, Section 2339A(b), including  
property, that is, military documents, some of which were not  
available to the public, to a foreign terrorist organization, to  
wit, ISIS, which at all relevant times was designated by the  
Secretary of State as a foreign terrorist organization, knowing  
that ISIS was a designated foreign terrorist organization and  
that ISIS engages in and has engaged in terrorist activity and  
terrorism.

All in violation of Title 18, United States Code, Section  
2339B(a)(1).

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COUNT 2

(Attempt To Provide Material Support or  
Resources to Designated Foreign Terrorist Organization)

The Grand Jury further charges:

Paragraphs 1 and 2 of the Introduction Section of this  
Indictment are incorporated herein by reference.

That on or about June 23, 2017, in the District of Hawaii,  
IKAIKA ERIK KANG, the Defendant, did knowingly attempt to  
provide "material support or resources," as that term is defined  
in Title 18 United States Code, Section 2339A(b) including  
property, that is, military documents, some of which were not  
available to the public, including some documents classified at  
the SECRET level pursuant to Executive Order 13526, to a foreign  
terrorist organization, to wit, ISIS, which at all relevant  
times was designated by the Secretary of State as a foreign  
terrorist organization, knowing that ISIS was a designated  
foreign terrorist organization and that ISIS engages in and has  
engaged in terrorist activity and terrorism.

All in violation of Title 18, United States Code, Section  
2339B(a)(1).

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COUNT 3

(Attempt To Provide Material Support or  
Resources to Designated Foreign Terrorist Organization)

The Grand Jury further charges:

Paragraphs 1 and 2 of the Introduction Section of this  
Indictment are incorporated herein by reference.

That on or about July 8, 2017, in the District of Hawaii,  
IKAIKA ERIK KANG, the Defendant, did knowingly attempt to  
provide "material support or resources," as that term is defined  
in Title 18 United States Code, Section 2339A(b), including  
property, that is, a GoPro Karma drone, a chest rig (which is a  
piece of military-style equipment worn over the shoulders that  
has chest pouches and is typically used to hold tactical  
equipment, ammunition, and other military gear), and other  
military-style clothing and gear, to a foreign terrorist  
organization, to wit, ISIS, which at all relevant times was  
designated by the Secretary of State as a foreign terrorist  
organization, knowing that ISIS was a designated foreign  
terrorist organization and that ISIS engages in and has engaged  
in terrorist activity and terrorism

All in violation of Title 18, United States Code, Section  
2339B(a) (1).

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COUNT 4

(Attempt To Provide Material Support or  
Resources to Designated Foreign Terrorist Organization)

The Grand Jury further charges:

Paragraphs 1 and 2 of the Introduction Section of this  
Indictment are incorporated herein by reference.

That on or about from July 8, 2017, in the District of  
Hawaii, IKAIKA ERIK KANG, the Defendant, did knowingly attempt  
to provide "material support or resources," as that term is  
defined in Title 18 United States Code, Section 2339A(b),  
including training in hand-to-hand combat techniques,  
combatives, firearms, and weaponry to a foreign terrorist  
organization, to wit, ISIS, which at all relevant times was  
designated by the Secretary of State as a foreign terrorist  
organization, knowing that ISIS was a designated foreign  
terrorist organization and that ISIS engages in and has engaged  
in terrorist activity and terrorism.

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All in violation of Title 18, United States Code, Section  
2339B(a)(1).


DATED: July 19, 2017, at Honolulu, Hawaii.

A TRUE BILL

/s/ Foreperson  
Foreperson, GRAND JURY

ELLIOT ENOKI  
Acting United States Attorney  
District of Hawaii

  
LAWRENCE L. TONG  
Chief, Fraud and Financial Crime Section

  
KENNETH M. SORENSON  
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MARC A. WALLENSTEIN  
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UNITED STATES v. IKAIKA ERIK KANG  
Cr. No. \_\_\_\_\_  
"Indictment"

CR 17-00446 SOM